

CLERK: 12 ayes, 0 nays to go under call, Mr. President.

SENATOR HANNIBAL: The house is under call. All senators return to their chairs and check in. Please record your presence. All unauthorized personnel please leave the floor. If you're at your chair, please check to see if you have recorded your presence. Looking for Senators Goodrich, Miller, Senator Higgins. The house is under call. Please report to the Chamber and record your presence, please. Senator Carsten. We're looking for Senator Carsten and Senator Lynch. Senator Lynch has arrived. Senator Carsten, Senator Cal Carsten. Senator Goll, we're all here except one. Would you want...and Senator Carsten has arrived. Are you going to continue your closing, is that what I understand?

SENATOR GOLL: Well, Mr. Speaker, then there are five excused. Is that correct?

SENATOR HANNIBAL: That is correct.

SENATOR GOLL: So everyone is here. I will proceed then with your permission. At the beginning of this particular segment of this resolution I said that I hadn't previously considered gambling an issue relevant to retrocession, but since it appeared in the resolution I wish to take issue. Senator Chambers has said that these gambling WHEREAS are irrelevant, and I agree. But I wish to strike the sections because they mask the true facts. They are an attempt to lull the Legislature into believing that the Winnebagoes will not institute bingo or anything else as a result of retrocession. The WHEREASES are misleading in that respect. Senator Chambers has stated that the Winnebagoes have the right to set up gambling now. That is what the Attorney General's Opinion says and that is true. The distinction lies in their ability to enforce that right. Because the Winnebagoes are now subject to our courts, it is necessary to use state courts to regulate their gambling operations. This they may not want to do. Retrocession may make gambling more attractive to them. Secondly, because we have criminal jurisdiction, it is our courts and it is our law which determines what is prohibitive or criminal and what is regulatory or civil. Retrocession would grant their courts that same right. As an example Nebraska bans video slots. If the Winnebago Tribe had criminal jurisdiction, it could make that determination on its own. It could determine that